

## **REMARKS**

[0001] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-27 and 29-32 are presently pending. Claims amended herein are none. Claims withdrawn or cancelled herein is claim 28. New claims added herein are none.

### **Statement of Substance of Interview**

[0002] The Examiner graciously talked with me—the undersigned representative for the Applicant—around August 17, 2007. Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0003] In that discussion, I explained what I viewed as the differences between the primary cited art (Russell) and the claims as amended herein. No agreement was reached.

### **Formal Request for an Interview**

[0004] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0005] Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works

great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

## **Substantive Matters**

### **Claim Rejections under §§ 102 and 103**

[0006] Examiner Zhen rejects all of the pending claims on grounds of § 102 and/or § 103. The primary reference for all rejections is Russell (US Patent Application Publication No. 2004/0039964).

[0007] It does not appear that the primary cited reference (i.e., Russell) discloses at least the following (in particular, the emphasized text) from claim 1:

***without relying on a pre-defined definition of a specified data type of an object***, decomposing the object into multiple sub-components, wherein the decomposing comprises extracting discernable properties and values for each sub-component;

***without relying on the pre-defined definition of the specified data type of the object***, serializing the multiple sub-components and their discernable properties and values into a serialized package;

[0008] As the Examiner indicates in the Action, Russell does disclose generating type mapping "on the fly" as cited (see ¶ [0050]. However, Russell's nominal "on-the-fly" generation requires a "default constructor," which is effectively a "blank template" used when the system does not recognize the object.

**[0009]** Russell itself says that it requires a default constructor because Russell discloses that a default constructor "**must**" be used (see in Para [0072]). The default constructor is the "pre-defined definition of the specified data type of the object." Please see the following definitions for and discussions of "default constructor":

- "...the compiler will generate its own default constructor for a class provided that no other constructors have been defined by the programmer." (<http://www.brpreiss.com/books/opus4/html/page599.html>)
- "A default constructor is a constructor that either has no parameters, or if it has parameters, all the parameters have default values" (<http://publib.boulder.ibm.com/infocenter/macxhelp/v6v81/index.jsp?topic=/com.ibm.vacpp6m.doc/language/ref/clrc15cplr376.htm>)
- you define no constructors at all, the compiler will generate a default constructor for you. (<http://www.devx.com/tips/Tip/12458>)

**[0010]** As claimed, the "decomposing" and "serializing" acts without reliance upon the "pre-defined definition of the specified data type of the object." Unlike the claims, Russell relies on a default constructor.

**[0011]** Rather than disclosing a dynamic customized serializer, I submit that Russell discloses a mechanism for dynamically creating a customizable serializer which is derived from some existing "template" or "default constructor."

**[0012]** Russell creates its customized serializer in response to a failure of a target object (i.e., instance of an object) to match its pre-defined definition for its object type. For example, Russell uses traditional reflection (which is described briefly in App. p. 18, lines 17-18). Russell identifies the data type of

target object is identified as X. If, for example, the pre-defined definition of data type X has three properties, but the actual target has four properties, Russell will fail.

**[0013]** So, Russell looks for a generic serializer (e.g., a "default constructor") that matches the classification of data type. Russell re-tries the serialization of the target object, but this time it uses the generic serializer that it located. For Russell to function properly there must be a default constructor that matches the properties in the target object.

**[0014]** On page 4 of the Action, the Examiner says that the "objects in applicant's invention would also require a default constructor" because "applicant's serialization process requires calling reflection on an object."

**[0015]** At this time, Applicant makes no comment about whether the Examiner's premise (i.e., "serialization process requires calling reflection on an object") or conclusion (i.e., "objects in applicant's invention would also require a default constructor") is true. It seems that the Examiner should provide proof that its premise is true before the Applicant can respond to the conclusion. I see no proof.

**[0016]** Even if the premise and conclusion is true, Applicant submits the following:

- By its own admission (¶ [0072], Russell requires a default constructor because Russell discloses that a default constructor "must" be used;

- The default constructor is a "pre-defined definition of the specified data type of the object";
- One or more claims recite "decomposing" and "serializing" that acting without reliance upon "pre-defined definition of the specified data type of the object," thus without reliance on a "default constructor."

**[0017]** The other claims rejected under §102 based upon Russell include similar language referring to performing and action or operation without reliance upon "pre-defined definition of the specified data type of the object." Consequently, those claims are allowable for the same reasons given above.

**[0018]** Accordingly, the cited references do not disclose all of the elements of the claims. Applicant respectfully asks the Examiner to withdraw these rejections.

### **Claim Rejections based upon Russell and Albornoz**

**[0019]** Examiner Zhen rejects claims 15, 18-25, and 28 on grounds of § 103 and based upon a combination of Russell with Albornoz (US Patent Application Publication No. 2005/0154978).

**[0020]** I respectfully submits that Albornoz is not valid prior art. To support that proposition, I plan on submitting a § 131 declaration that will prove that the inventors of this patent application invented their invention before the filing date of Albornoz.

## **Dependent Claims**

[0021] In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

## **Conclusion**

[0022] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call/email me or my assistant at your convenience.

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Respectfully Submitted,

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